

O P E J C
JAN 28 2004
PATENT & TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

"Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450"

on 11/26/04

11/23/04

EDWARD A. SQUILLANTE, JR. Date of Signature
Reg. No. 38,319
Attorney for Applicant(s)

UNITED STATES DEPT. OF COMMERCE
Patent and Trad mark Offic

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of: Beck et al.
Serial No.: 09/974,629
Filed: October 10, 2001
For: Edible Emulsion Comprising Live Micro-Organisms and Dressings or Side Sauces Comprising Said Edible Emulsion

Group: 1761
Examiner: C. Paden
Edgewater, New Jersey 07020

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[] No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

	(2) * Claims Remaining After Amendment		(4)** Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims		Minus			\$ 18.00	
Independent Claims		Minus			\$ 86.00	
Multiple Claims					\$ 290.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$

*If the entry in Column (2) is less than the entry in Column (4), write "0" in Column (5).

**If the "Highest No. Previously Paid For" is less than "20," write "20" in this space.

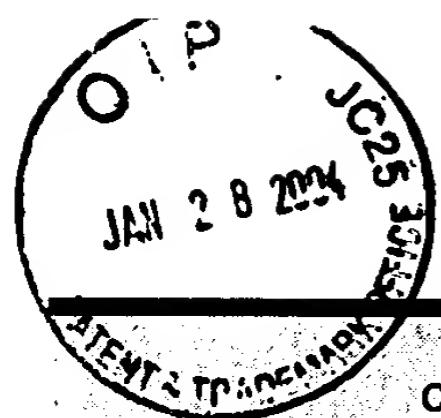
[] Charge \$_____ to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.
[X] The Commissioner is hereby authorized to charge any additional fees, which may be required to our deposit account No. 12-1155, including all required fees under

[X] 37 C.F.R. § 1.16;
[X] 37 C.F.R. § 1.17;
[X] 37 C.F.R. § 1.18.

Triplicate copies of this letter are enclosed.

EAS/pod
(201) 840-2925

Edward A. Squillante, Jr.
Attorney of Record
Reg. #38,319

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

"Commissioner for Patents"
P.O. Box 1450
Alexandria, VA 22313-1450

on

126/04

1123/04

Edward A. Squillante, Jr.
Reg. No. 38,319
Attorney for Applicant

PATENT

CASE #F7561(V)
UNUS #01-0521-UNI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Beck et al.
Serial No.: 09/974,629
Filed: October 10, 2001
For: Edible Emulsion Comprising Live Micro-Organisms and Dressings or Side Sauces Comprising Said Edible Emulsion

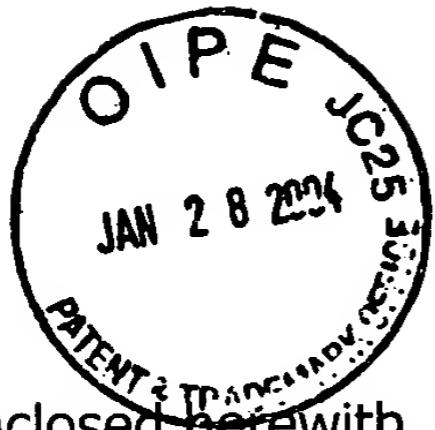
Group: 1761
Examiner: C. Paden
Edgewater, New Jersey 07020

AMENDMENT AND REPLY UNDER 37 CFR §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following reply is responsive to the Office Action mailed September 26, 2003. Claims 1-13 were originally filed, claim 2 has been cancelled without prejudice or disclaimer, and claims 1 and 3-13 are the claims which remain pending for prosecution on the merits. Reexamination and reconsideration of the subject application, pursuant to and consistent with 37 CFR §1.112, are respectfully requested.



Case No. F7561(V)

Also, enclosed herewith, is a petition to extend the period of responding from December 26, 2003 to January 26, 2004.

Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.